DETAILED ACTION

Response to Amendment

This Office Action is response to Applicant's arguments and request for reconsideration of application 10/749,653 filed on 24 January 2011.

Status of the Claims

Claims 2-14, 16-20, 22-25, 27-30 and 32 are original. Claim 1, 15, 21 and 31 is currently amended. Thus, claims 1-25 and 27-32 are currently pending.

Allowable Subject Matter

Claims 21-22, 25 and 27-30 are allowed subject to the examiners amendment described below.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ashley Sturgeon, Reg. No. 64,819 on Tuesday, March 8 2011.

EXAMINER'S AMENDMENT

The application has been amended as follows: Please amend claims 21, 24 and 27-29. Please cancel claims 1-20, 23-24 and 31-32.

21.   (Currently Amended)   One or more computer storage media having computer-executable instructions that, when executed by a computer, cause the computer to perform operations ~~embodied thereon for performing a method of facilitating aesthetically improving paid inclusion listings while maintaining ordering rights, the method~~ comprising:

receiving a search request from a user, wherein the user provides the search request by utilizing a computing device having an associated display device;

identifying a plurality of search results that are relevant to the search request, wherein the plurality of search results includes at least one paid inclusion listing and a second listing that is not a paid inclusion listing;

determining a [[the]] type of display device associated with the user's computing device, thereby identifying display constraints associated with the user's display device;

retrieving user preferences from a database;

modifying the at least one paid inclusion listing according to a paid inclusion customer selected enhancement option, wherein modifying the at least one paid inclusion listing includes balancing user preferences and paid inclusion customer selected enhancement option and further wherein balancing user preferences and paid inclusion customer selected enhancement option includes assigning one or more weights to each of the user preferences and the paid inclusion customer selected enhancement option to optimize a value of the at least one paid inclusion listing with respect to both the user and the paid inclusion customer;

rendering the plurality of search results for display on the user's display device based in part upon the display constraints associated with the user's display device, the paid inclusion customer selected enhancement option, and the [[end]] user preferences such that the paid inclusion listing is displayed differently than the second listing; and

reporting performance of the at least one paid inclusion listing to the paid inclusion customer to facilitate optimizing listing performance and revenues, wherein said reporting includes generating an enhancement component matrix and providing said matrix to the paid inclusion customer, said matrix comprising:

(1) at least one row corresponding to the at least one paid inclusion listing;

(2) a first column corresponding to the paid inclusion customer selected enhancement option that affects a display of the at least one paid inclusion listing within a search results display, wherein the first column includes an indication that the corresponding paid inclusion customer selected enhancement option was applied to the at least one paid inclusion listing; and

(3) a second column corresponding to a performance attribute, wherein the performance attribute includes information about a user response to the at least one paid inclusion listing.

23.   (Cancelled)

24.   (Cancelled)

25.   (Currently Amended)   The media of claim 24 21, wherein the one or more weights are determined by utilizing artificial intelligence.

26.   (Cancelled)

27.   (Currently Amended)   The media of claim 21, <u>wherein</u> the ~~one or more~~ selected enhancement ~~options~~ comprises at least one of:

   bolding at least a portion of listing;

   adding a background to at least a portion of listing;

   changing text color of listing to an alternative color different from a standard listing color;

   altering text font of listing to be different from a standard listing font;

   increasing font size of listing greater than standard listing font size;

   animating at least a portion of listing;

   dynamically replacing at least a portion of listing with at least one search term;

   adding a thumbnail to the listing corresponding to some content of the listing;

   replacing listing text with a thumbnail that is representative of the content in the listing;

   adding an icon to the listing that indicates a preferred status of the listing; or

   positioning the listing apart from other listings while retaining ordering rights based on relevance of listing with respect to search query.

28.   (Currently Amended)   The media of claim 21, further comprising globally applying the ~~one or more~~ <u>selected</u> enhancements ~~option~~ to a plurality of paid inclusion listings based on a consensus of behaviors associated with users in a particular service area.

29.   (Currently Amended)   The media of claim 21, wherein the ~~one or more~~ <u>selected</u> enhancements ~~option~~ ~~are~~ <u>is</u> sensitive to cultural, time zone, and regional differences to mitigate offensive listings.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Please refer to the

prosecution history of the instant application. In particular, the applicant's remarks, as noted below which

distinguish the instant claimed invention from the closest prior art references listed below.

Petropoulos et al. Methods and Apparatus for Mouse-Over Preview of Contextually Relevant Information.

Petropoulos discloses challenges to the analysis of search results may be mitigated by offering preview

information when users navigate a computer-pointing device over pre-designated areas of a search result

page. A separate icon in the pre-designated area enhances the advantages by providing intuitive preview

ability with seamless and natural control over a variety of preview options, such as the type of preview

information and the manner in which it is presented. In addition, while operating a preview-enabled

search result page, users' behavior provides data and attributes, which may be re-incorporated into the

searching algorithm to improve the relevancy of search results.

Cartmell et al. Methods and Devices for Responding to Request for Unregistered Domain Name to

indicate a Predefined Type of Service.

Cartmell discloses a method, system, and computer-readable medium is described that provides one or

more types of services and/or information in response to an information request or other message that

specifies a unique identifier of a defined type. The information requests can include requests for

resources corresponding to specified URLs with domain names that include a unique identifier, and if so

the service or information provided can be based on the defined type of the identifier and/or on an item

corresponding to the unique identifier. Additional information included in header fields of HTTP

messages used for such URL requests can also be used to determine services or information to be

provided, either instead of or in addition to the specified domain name identifier. In addition, services and

information can be provided for a requested URL that includes a domain name that has not been explicitly

registered with the DNS name server computers.

Nguyen et al. Method and Apparatus for Data Collection and Knowledge Management

Nguyen discloses a integrated method for searching and reporting the search of electronic data files by receiving a plurality of first and second search concepts from the user, forming the first and second concepts into two-dimensional matrix of paired concepts, performing a search of one or more databases based on all concepts and paired concepts in the matrix, and identifying and displaying a corresponding matrix of search results. An integrated search collection provides formatted documents for drag and drop collection of search information an construction of a search library. An integrated report generation utilizes the format of the collection document for automatic construction of a report.

Claim 1 is allowed because the best prior art of record, Petropoulos, Cartmell and Nguyen alone or in combination, fails to teach or suggest or otherwise make obvious, all the limitations One or more computer storage media having computer-executable instructions that, when executed by a computer, cause the computer to perform operations comprising:

receiving a search request from a user, wherein the user provides the search request by utilizing a computing device having an associated display device;

identifying a plurality of search results that are relevant to the search request, wherein the plurality of search results includes at least one paid inclusion listing and a second listing that is not a paid inclusion listing;

determining a type of display device associated with the user's computing device, thereby identifying display constraints associated with the user's display device;

retrieving user preferences from a database;

modifying the at least one paid inclusion listing according to a paid inclusion customer selected enhancement option, wherein modifying the at least one paid inclusion listing includes balancing user preferences and paid inclusion customer selected enhancement option and further wherein balancing user preferences and paid inclusion customer selected enhancement option includes assigning one or more weights to each

of the user preferences and the paid inclusion customer selected enhancement option to optimize a value of the at least one paid inclusion listing with respect to both the user and the paid inclusion customer;

rendering the plurality of search results for display on the user's display device based in part upon the display constraints associated with the user's display device, the paid inclusion customer selected enhancement option, and the user preferences such that the paid inclusion listing is displayed differently than the second listing; and

reporting performance of the at least one paid inclusion listing to the paid inclusion customer to facilitate optimizing listing performance and revenues, wherein said reporting includes generating an enhancement component matrix and providing said matrix to the paid inclusion customer, said matrix comprising:

(1) at least one row corresponding to the at least one paid inclusion listing;

(2) a first column corresponding to the paid inclusion customer selected enhancement option that affects a display of the at least one paid inclusion listing within a search results display, wherein the first column includes an indication that the corresponding paid inclusion customer selected enhancement option was applied to the at least one paid inclusion listing; and

(3) a second column corresponding to a performance attribute, wherein the performance attribute includes information about a user response to the at least one paid inclusion listing.

Dependent claims 22, 25 and 27-30 are allowable based on the same rationale as the claims from which they depend.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 7,177,948 B1 Kraft et al.

US Patent 7,565,409 B2 Heilbron et al.

US Patent 7,840,894 B2 Brown et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW L. HAMILTON whose telephone number is (571)270-1837. The examiner can normally be reached on Monday-Friday 7:30a.m-5p.m EST alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. L. H./
Examiner, Art Unit 3688

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